REMARKS

Withdrawal of the outstanding art rejection as well as favorable action of the currently pending claims, in consideration of the submission, is respectfully requested.

Claims 21-34 were previously presented and dependent claim 35 is newly presented. Claim 35 characterizes the set forth "packet" according to base claim 32 thereof as comprising a UDP packet, in line with that set forth in dependent claims 22 and 29 which are associated with the method.

The invention according to claims 21-31 is a method (a method of transmitting a packet) and that according claims 32-35 is an apparatus to communicate a packet. In accordance with the invention, first and second parts of a packet are identified followed by classifying one of the first part and second part differently with the classification being based on data in the checksum coverage field of the packet and transmitting the different parts of the packet differently. The first and second parts may be respectively transmitted with different protection against loss during transmission. In accordance with the present invention, also, the classification may be based upon relative importance of the set forth first and second parts, and, moreover, the packet may be a UDP packet (see claims 22, 29 and 35). See the discussion on page 4, 13-20, as well as from page 9, including lines 11-23, through page 11, lines 1-17.

The discussion will now turn to the outstanding rejection. Claims 21-34 stand rejected under 35 U.S.C. 103(a) over the combination of Krishnarajah, et al. (U.S. Patent Publication No. 2003/0081592) in view of Larzon, et al., both of which were

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previously of record. As will be shown below, the invention according to the

currently pending claims 21-[35] could not have been realized in the manner alleged

in outstanding rejection. Therefore, insofar as presently applicable, this rejection is

traversed and reconsideration and withdrawal of the same is respectfully requested.

Krishnarajah, et al. disclosed a method and apparatus therefor for

transporting different classes of data bits in a payload over a radio interface. In

accordance with Krishnarajah, et al's. scheme, the payload information may be

divided into one or more fragments and that each fragment is then sent in the

separate IP packet. Thus, each fragment is associated with a QoS class and thus a

radio bearer. With regard to the illustration in Fig. 3 of Krishnarajah, et al., the first

and second packets are delivered to a mapper of 42 which maps each packet

(based on the IP header of each packet) to an appropriate communications bearer.

For example, bearer 1 is configured in accordance with the first packet treatment

class, such as a first quality of service (QoS), while bearer 2 is configured to support

a second treatment class, such as a second QoS, etc. (Paragraphs [0036] – [0038],

in Krishnarajah, et al.) Krishnarajah, et al. also contains discussion with regard to

alternative schemes relating to division of the payload information into fragments. It

is submitted, however, that Krishnarajah, et al. failed to teach effecting classification

based on data in checksum coverage field of a packet such as of a UDP packet, as

one example thereof. This is also confirmed in connection with the outstanding

rejection, in which it states "Krishnarajah, et al. fails to expressly disclose wherein

said classifying is based data in the checksum coverage field of said UDP packet."

In an attempt at supporting a rejection of obviousness over the combined teachings of Krishnarajah, et al., and Larzon, et al., the latter was applied as, allegedly, "Disclos[ing] dividing UDP packet into sensitive and insensitive parts based on coverage field (section 2.1, Basic Design)". It is submitted, however, the referred to section 2.1 of the Larzon, et al. published article is merely intended to indicate that an error in the sensitive part of a packet results in a dropped packet and that errors associated with the insensitive part of the packet should not be dropped. In accordance with Larzon, et al. the checksum only covers the sensitive part of the packet (i.e., "partial checksum"). Said differently, a checksum is a value indicative of the data within the sensitive part of the packet, as employed in Larzon, et al.

According to base claim 21, the method calls for the classifying to be based on data in the checksum coverage field of the packet (the packet including the first and second parts). The packet set forth in base claim 21 may be a UDP packet and, moreover, the classification may be based upon the relative importance of the first and second parts of the packet (e.g., see claim 22). The featured aspect calling for classifying/determining the first and second parts of packet, such as of UDP packet, based on data in the checksum coverage field of the packet is also provided for in the invention according to claims 28+ and 32+. It is submitted, such was not taught from the combined teachings of Krishnarajah, et al. and Larzon, et al. As noted above according to Larzon, et al., the checksum is a value indicative of the data within the sensitive part of the packet. It is submitted, there is no teaching therein that classifying/identifying is based on data in the checksum coverage field of the

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packets such as the UDP packet. Providing a checksum of the data within the sensitive part of the packet only, as in Larzon, et al., does not constitute classifying/identifying a part as being more important based on data in a checksum coverage field of the packet and the subsequent transmitting of the packet.

It is submitted, also, there is no apparent suggestion that would have lead one of ordinary skill to combine Larzon, et al's. sensitive/insensitive part of a packet with Krishnarajah, et al's. methodology of dividing payload information into one or more fragments. The checksum value pertaining to a sensitive part, according to Larzon, et al. it is submitted, is not the same as the dividing of payload information such as it relates to Krishnarajah, et al's. disclosure. For at least the above reasons, the invention according to independent claims 21, 28 and 32 and, also, with regard to the corresponding dependent claims thereof, could not have been rendered obvious, as that alleged in the outstanding rejection. The dependent claims, applicants submit, should also be rendered allowable for the same and similar reasons as that argued above with regard to the corresponding independent claims.
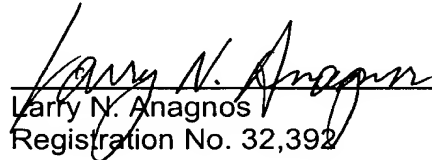
Therefore, in view of the amendments presented hereinabove together with these accompanying remarks, reconsideration and withdrawal of the outstanding art rejection as well as favorable action on the currently pending claims, i.e. claims 21-35, and an early formal notification of allowability of the above-identified application it is respectfully requested.

To the extent necessary, applicants Petition for Extension of Time under 37 C.F.R. § 1.136. Please charge any shortage in fees due in connection with the filing

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of this paper, including Extension of Time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing case no. 0172.40863X00).

Respectfully submitted,

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